

Attorney Docket No.: DMBC-0007
Inventors: Harry C. Morris
Serial No.: 10/840,052
Filing Date: May 6, 2004
Page 6

REMARKS

Claims 3-10 are pending in the instant application. Claims 3-10 have been rejected. Claims 8 and 10 have been amended. Claims 6 and 7 have been canceled in light of the amendments to claims 3 and 10. Support for these amendments is provided in the specification at pages 4 and 5. No new matter is added by these amendments. Reconsideration is respectfully requested in light of these amendments and the following remarks.

Rejection of Claim 3-10 under 35 U.S.C. 103(a)

Claims 3-8 and 10 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lindblad (U.S. Patent 4,970,560) in view of Mahoney (U.S. Patent 3,810,558). The Examiner suggests that there is no patentable distinction between the blades of Lindblad and the blades claimed by applicant. Thus, the Examiner suggests it would have been obvious to one of ordinary skill in the art at the time the invention was made to package the blades of Lindblad in coiled rolls because Mahoney discloses that packaging in coiled rolls results in economy, convenience, less handling,

Attorney Docket No.: DMBC-0007
Inventors: Harry C. Morris
Serial No.: 10/840,052
Filing Date: May 6, 2004
Page 7

less inventory, less storage space and lower transportation costs.

Claims 3 and 9 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lindblad (U.S. Patent 4,970,560) in view of Mahoney (U.S. Patent 3,810,558) as applied to claims 3-8 and 10 above and further in view of Calnan (U.S. Patent 3,490,314). While the Examiner has acknowledged that Lindblad differs from claims 3 and 9 in that the nickel phosphorus coating is electrodeposited, that Examiner suggests that Calnan discloses that hard nickel-phosphorus coatings on blades can be deposited either electrolytically or electrolessly. Thus, the Examiner suggests that it would have been obvious for one of skill in the art at the time the invention was made to use either electroplating or electroless plating to apply the nickel-phosphorus coatings to the blades of Lindblad because Calnan shows that either process can be used.

Claims 3-10 have also been rejected under 35 U.S.C. 103(a) as being unpatentable over Calnan (U.S. Patent 3,490,314) in view of Mahoney (U.S. Patent 3,810,558). The Examiner suggests that it would have been obvious at the time the invention was made to coil the continuous strip

Attorney Docket No.: DMBC-0007
Inventors: Harry C. Morris
Serial No.: 10/840,052
Filing Date: May 6, 2004
Page 8

blade stock of Calnan between some or all of the coating, sharpening and dividing manufacturing steps because Mahoney clearly shows that it is understood by one of ordinary skill in the manufacturing art that continuous strips of blade stock are most easily transported and handled when in coiled form.

Applicant respectfully traverses these rejections.

MPEP § 2143 states that to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references when combined must teach or suggest all the claim limitations. The cited combination does not meet these criteria.

In earnest effort to advance the prosecution of this case, Applicant has amended claims 8 and 10 to state that the blade shaped substrate has a front side and a reverse side and angled edges on the front side and reverse side and that heat treating to achieve a Rockwell C hardness of

Attorney Docket No.: DMBC-0007
Inventors: Harry C. Morris
Serial No.: 10/840,052
Filing Date: May 6, 2004
Page 9

greater than 70 also increases durability, smoothness, gloss, erosion resistance and run time for the coater or doctor blade to three to four times greater than that of Blue Polished 1095 Steel and decreases streaking and coefficient of friction of the coater or doctor blade. Further, claim 10 has been amended to state that the friction resistant coater or doctor blade consists of the blade-shaped substrate base and the protective layer of chromium, low phosphorus nickel or electroplated hard chrome.

The teachings of the prior art references, when combined do not teach or suggest all the limitations of the invention as claimed. Nor do the combined teachings provide a reasonable expectation of success with respect to the instant invention.

Lindblad et al. teaches a col. 2, line 68 through col. 3, line 1, that it is desirable to maintain a square edge for dry toner cleaning. Accordingly, this reference teaches away from a blade with angled edges on the front and reverse sides. Further, the metal cleaning blade of Lindblad et al. requires a third component, namely a fluorocarbon material such as TEFLON. See teachings at col.

Attorney Docket No.: DMBC-0007
Inventors: Harry C. Morris
Serial No.: 10/840,052
Filing Date: May 6, 2004
Page 10

4, line 33, through col. 5, line 37. The blade of Lindblad does not consist of a blade substrate material and a protective coating as now claimed. Thus, contrary to the Examiner's suggestion, there are patentable distinctions between the blade of Lindblad and the invention as now claimed.

Further, teachings of Lindblad provide no reasonable expectation of success that a blade without the third layer would exhibit increased durability, smoothness, gloss, erosion resistance and run time for the coater or doctor blade to three to four times greater than that of Blue Polished 1095 Steel and decreased streaking and coefficient of friction as in the instant claimed invention.

Calnan teaches methods for production of a cutting blade, not a coater or doctor blade where characteristics of smoothness, gloss, erosion resistance and run time as well as streaking and coefficient of friction are of concern. Accordingly, this reference also provides no teaching or suggestion or reasonable expectation of success with respect to production of a coater or doctor blade exhibiting increased durability, smoothness, gloss, erosion resistance and run time for the coater or doctor blade to

Attorney Docket No.: DMBC-0007
Inventors: Harry C. Morris
Serial No.: 10/840,052
Filing Date: May 6, 2004
Page 11

three to four times greater than that of Blue Polished 1095 Steel and decreased streaking and coefficient of friction as claimed.

Teachings of Mahoney fail to remedy the deficiencies in these primary references as this reference merely relates to coiling of a blade material.

Thus, since the cited combinations of references fail to teach or suggest all the limitations of the instant claimed invention and provide no reasonable expectation of success with respect to the instant claimed coater or doctor blade, the cited combinations of references cannot render obvious the instant claimed invention.

Withdrawal of these rejections under 35 U.S.C. 103(a) is therefore respectfully requested.

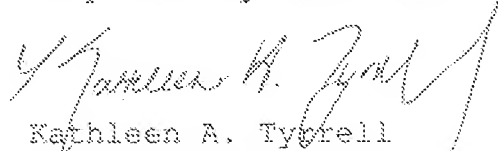
Conclusion

Applicant believes that this submission overcomes all pending rejections in this case and comprises a full and complete response to the Office Action of record.

Attorney Docket No.: DMBC-0007
Inventors: Harry C. Morris
Serial No.: 10/840,052
Filing Date: May 6, 2004
Page 12

Accordingly, favorable reconsideration and subsequent allowance of the pending claims is earnestly solicited.

Respectfully submitted,


Kathleen A. Tyrrell
Registration No. 38,350

Date: April 12, 2006

LICATA & TYRRELL P.C.
66 E. Main Street
Marlton, New Jersey 08053

(856) 810-1515